

Appl. No. : 09/965,785  
Filed : September 27, 2001

REMARKS

This is in response to the Office Action mailed April 2, 2003.

By the Office Action, the Examiner objected to the Abstract due to its length. Applicant has amended the Abstract herein.

The Examiner also noted that attention should be given to the use of trademarks in the application. Applicant has revised the specification to address this issue.

The Examiner noted that the reference numeral "53" should be used to designate the "first isle" in Paragraph [0051]. Applicant thanks the Examiner for noting this and has corrected this error.

The Examiner objected to the drawings under 37 C.F.R. § 1.83(a) as failing to show the "physical environment" claimed in the claims, because reference numeral 60h is missing, and because reference numeral 60d is off the drawing margin. Applicant has submitted herewith a set of formal drawings which more clearly illustrate the invention and address the issues raised by the Examiner relating to the reference numbers. Applicant asserts that Figure 1 illustrates the "physical environment," as this figure illustrates walls, carpeting, elevators and the like which comprise the "physical environment" in which the represented gaming machines and other elements actually exist.

Howington

The Examiner indicated the rejection of Claims 1, 5-6, 9, 13-17 and 19 under 35 U.S.C. § 102(e) as being anticipated by Howington, (U.S. Application 09/981,653 published as

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US2002/0152120) and rejected Claims 11 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Howington in view of Soltys (U.S. Patent No. 6,460,848).

The Examiner cites Figures 9 and 10 and the accompanying description thereof in Howington as teaching one or more elements of Applicant's invention as claimed. Applicant asserts that Howington is not a prior art reference to Applicant's invention and therefore any rejections based upon Howington should be withdrawn.

Applicant notes that U.S. Patent Application Publication No. 2002/0152120 is not itself a prior art reference to Applicant's invention, in that the 09/981,653 Howington application was filed after the above-referenced application (Howington '653 was filed October 18, 2001, while the above-referenced application was filed September 27, 2001).

Applicant recognizes that Howington '653 makes a claim of priority to earlier filed provisional application 60/241,326 filed October 18, 2000. However, this earlier '326 Howington provisional application does not disclose the features which the Examiner cites in the Office Action. For example, the earlier '326 Howington provisional does not include Figures 9 and 10 or the accompanying disclosure therefor, as is present in the later '653 Howington application. Applicant has included herewith a copy of the '326 Howington provisional for the Examiner's reference in this regard.

For this reason, Applicant respectfully requests withdrawal of the claim rejections over the Howington reference.

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Wiltshire

The Examiner indicated the rejection of Claims 1-4, 7-8, 10 and 12 under 35 U.S.C. § 102(e) as being anticipated by Wilshire (U.S. Patent No. 6,409,602). The Examiner cites Wilshire as disclosing a method of configuring a graphical user interface which includes elements which represent one or more components of a gaming system.

As noted by the Examiner, Applicant claims a graphical user interface which displays elements which represent actual element of a corresponding physical gaming system. Wilshire, however, discloses a gaming system in which terminals may display a virtual casino floor. The virtual casino floor can be used by a player to make a selection of particular game they wish to play. As noted at Col 3, lines 20-22, Wilshire indicates that "FIG. 4B is an image displayed on a screen of a client/terminal computer of FIG. 1, showing a virtual casino floor." As disclosed at Col. 8, lines 49-53, "[c]asino floor image 410 illustrates various casino games supported by computer gaming system 100. Each of the available games is represented by a "virtual" button . . ."

Wilshire thus does disclose a graphical user interface displaying elements. However, those elements do not correspond to particular elements of an actual physical gaming system. In Wilshire, the display elements are "made up" or created solely for use in implementing the virtual casino, and do not correspond to a particular physical gaming system.

As amended Claim 1 includes the step of "generating a graphical representation of a gaming system which exists in a physical environment, said graphical representation including elements graphically representing one or more components of said gaming system," and "displaying at least a portion of said graphical representation in a window of said graphical user interface on a display

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device, said at least a portion of said graphical representation including one or more displayed elements, said elements displayed in positions relative to one another corresponding to relative positions of said components of said gaming system in said physical environment which said elements represent.” Once again, Applicant asserts that Wiltshire does not disclose such a configuration, since Wiltshire’s display is a virtual casino and does not in any way correlate to a specific gaming environment.

Applicant also notes that Claim 1 includes the step of “generating information regarding the one or more components of said gaming system represented by said selected displayed elements of said graphical representation.” Once again, since elements displayed by Wiltshire’s system do not correspond to actual components of a physical gaming system, no such data is generated when the elements are selected.

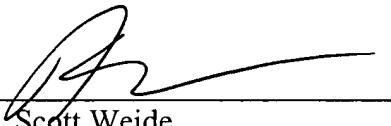
Applicant asserts that Claims 2-4, 7-8, 10 and 12 are allowable over Wiltshire as they depend from Claim 1. In addition, however, these claims are believed to be independently patentable over the Wiltshire reference. For example, Applicant asserts that Wiltshire does not disclose a graphical representation including a portion of the actual physical environment in which the gaming system components are located. Again, Wiltshire discloses creating virtual or “made up” images, not reproducing an actual physical environment in graphical form.

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Summary

Applicant asserts that Claims 1-19 are in a condition for allowance and respectfully requests a notice as to the same. If any matters remain outstanding, the Examiner is invited to contact the undersigned by telephone.

Respectfully submitted,

Dated: July 27, 2003 By: 

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